

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JOHNNY LEE SLOAN, JR.,

Plaintiff,

v.

K. TALLEY, et al.,

Defendants.

Case No. 1:21-cv-1477 JLT EPG (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DISMISSING  
THIS CASE WITHOUT PREJUDICE FOR  
FAILURE TO PROSECUTE AND FAILURE  
TO COMPLY WITH COURT ORDERS

(Doc. 44)

Johnny Lee Sloan, Jr. initiated this action *pro se*, seeking to hold the defendants liable for civil rights pursuant to 42 U.S.C. § 1983. The magistrate judge found Plaintiff failed to prosecute this action and failed to comply with the Court's orders. Therefore, the magistrate judge recommended the action be dismissed without prejudice. (Doc. 44.)

The Court served the Findings and Recommendations on Plaintiff and notified him that any objections were due within 14 days of the date of service. (Doc. 44 at 3.) In addition, the Court advised him that the "failure to file objections within the specified time may result in the waiver of rights on appeal." (*Id.* at 4, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014), *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).) No objections were filed and the time to do so has expired.

According to 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the findings

and recommendations to be supported by the record and proper analysis. Thus, the Court

**ORDERS:**

1. The Findings and Recommendations issued on September 5, 2023 (Doc. 44) are **ADOPTED** in full.
2. This case is **DISMISSED** without prejudice for failure to prosecute and failure to comply with court orders.
3. The Clerk of Court is **DIRECTED** to close this case.

IT IS SO ORDERED.

Dated: **September 29, 2023**

  
UNITED STATES DISTRICT JUDGE